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FAO Tracey Smith
Programme Officer

Dear Tracey Smith

**CHELTENHAM BOROUGH COUNCIL LOCAL PLAN EXAMINATION
HEARING STATEMENT : MATTER 9: OTHER MATTERS**

I attach a copy of my Statement on Question 1 of the above Matter based on my Comment ID 620.

I am doing this in the hope that this Statement will be acceptable even at this late stage and that I will be able to participate in Hearing 9, as I have discovered, as you will see, that my comments on Policy GT1 on Gypsies have been mis-filed in error, being instead included in Matter 3: Housing Hearing, which will presumably not be discussing Mill Lane Stud.

Yours sincerely

Alice Ross

**CHELTENHAM BOROUGH COUNCIL
LOCAL PLAN 2011 – 2031 EXAMINATION**

**MATTER 9
OTHER MATTERS**

STATEMENT BASED ON COMMENT ID 620

ALICE ROSS

PARTICIPANT 368

January 2019

Matter 9: Other Matters

COMMENT ID 620

Main Issue 1: Gypsies, travellers and travelling showpeople

i How does this allocation comply with Government policy for traveller sites?

This site should not be considered as an “allocation”. It would not be approved now if it came forward for consideration because of its sensitive rural location on the urban / scarp fringe of the Cotswolds AONB.

It was not allocated by the Borough when the unauthorised use began in 2011 – see the arguments against approval in the CBC Statement of Case for the 2011 Appeal, in which the Inspector found:

“Para 35. . . that the change of use to a Gypsy and Traveller site has resulted in, and would cause further, visual harm to the AONB. This is contrary to established local development plan policies and national policy advice and guidance and is sufficient reason not to grant a permanent permission.”

“Para 36. . . In my judgment, the harm that would result from the development is outweighed by the current lack of alternative sites and the appellants’ personal circumstances, including Human Rights considerations.”

“Para 37. . . Consequently, I intend granting the appellants a personal permission for a period of 3 years. Subject to other conditions discussed below, I consider this to be appropriate and reasonable until such times as less harmful alternative sites may be identified and brought forward through the JCS process.”

(APP/B1605/C/11/2149170 and 171, APP/B1605/C/11/2149172 and 173, APP/B1605/A/11/2149169)

Over the last 7 years the situation has not altered, neither the JCS nor the Cheltenham Local Plan having been able to find an alternative site.

CBC has continued to give temporary personal conditioned permission, most recently in 2017.

Because everything is the same, I hope even if it is no in the development plan that it is not now assumed that the site has permanent permission, rewarding an unauthorised takeover of the land

The CLP should state unequivocally the status of the permission confirming that it is still temporary, personal and conditioned.

ii How easily is the site accessible to services?

The site is:

- **1.6km from the nearest primary school in Charlton Kings along Mill Lane and Glenfall Way to [infrequent] transport links to town**
- **3.75km to nearest local secondary school at Balcarras**
- **1.7km from the nearest shops, doctors' surgery and further transport on the A40 London Road**
- **1.2km to nearest shops at Oakley, down the very steep Harp Hill**
- **2.3km to the nearest post office**
- **3.13km to Charlton Kings library**
- **2.75km to Cheltenham General Hospital**

Though many places seem to be within recommended walking or cycling distances, close access to and from the site is mainly along a winding very narrow unlit country lane with many blind corners and without pavements, leading to a reliance on motor transport.

In 2011, the County Highway Officer considered that the site was unsustainable as it was contrary to the then development plan and PPG 13. (CBC Statement of Case in 2011 Appeal: Paragraph 7.25)

iii Does the site have main services?

The site has electricity and a water supply. I believe sewerage is by Klargestar septic tank and surface water drainage by field drains.

iv Why can occupants not move?

1 Perhaps it would be difficult to ask the occupants to move as they have temporary permission to remain until 2022.

2 The difficulty might also occur because of the ambiguity inherent in the wording of their latest temporary permission:

“ . . . Cheltenham Borough Council, as the Local Planning Authority, hereby PERMITS the following development:-

*Change of use of land for the **permanent** residential occupation by a traveller family, provision of day room, retention of hardstanding, access, fencing, stables and use of associated land for the keeping of horses.”*

(CBC Application No 17/00129/FUL)

3 Perhaps, seeing mention of horse keeping above, there may be a return to this activity after 8 years?

4 No one seems to have been able to interview the occupants to discover whether they are 'settled' and could qualify for Council bricks and mortar or will still be 'travelling' once children are grown up and therefore can stay on their site.